	From the INTERNATIONAL BUREAU		
PCT NOTIFICATION OF TRANSMITTAL OF COPIES OF TRANSLATION OF THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Rule 72.2)	HAFT, v. Puttkamer, Berngruber, Czybulka Franziskanerstrasse 38 D-81669 München ALLEMAGNE Patentanwaltskanzlei - 2, Jan. 2002		
Date of mailing (day/month/year) 17 December 2001 (17.12.01)	<u>α</u> α σ		
Applicant's or agent's file reference 15571PCT	IMPORTANT NOTIFICATION		
International application No. PCT/DE00/00334	1 International filing date (day/month/year) 03 February 2000 (03.02.00)		
Applicant RAHE, Martin			

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

JP,US

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

ΕP

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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PCT

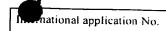
INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 15571PCT	FOR FURTHER A	ACTION See Notifi	cation of Transmittal of International Examination Report (Form PCT/IPEA/416		
International application No. PCT/DE00/00334		ate (day/month/year)	Priority date (day/month year) 04 February 1999 (04.02.99)		
International Patent Classification (IPC) or n A61B 5/20	ational classification a	nd IPC			
Applicant	RAHE,	Martin			
reactionly and is transmitted to the ap	plicant according to A	rticle 36.	International Preliminary Examining		
2. This REPORT consists of a total of This report is also accompanion been amended and are the bacter (see Rule 70.16 and Section 6)	ied by ANNEXES, i.e.	, sheets of the descriptions rec	on, claims and/or drawings which have		
These annexes consist of a to	tal of s	sheets.			
3. This report contains indications relations	ng to the following iter	ms:			
Basis of the report					
II Priority					
III Non-establishment o	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability				
IV Lack of unity of inve	ention				
V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability:					
VI Certain documents c	ited				
VII Certain defects in the international application					
VIII Certain observations on the international application					
			·		
Date of submission of the demand		Date of completion of the	nis report		
04 September 2000 (04.09.00)		20 October 2000 (20.10.2000)			
Name and mailing address of the IPEA/EP	,	Authorized officer			
acsimile No.	1	Telephone No.			

Translation





PCT/DE00/00334

1. Basis of the report				
1. This repo	rt has been drawn cle 14 are referred to	on the basis of o in this report of	(Replacement shee as "originally filed"	ts which have been furnished to the receiving Office in response to an invitation and are not annexed to the report since they do not contain amendments.):
	the internationa	al application as	s originally filed.	
\boxtimes	the description,	pages	1-8	_, as originally filed,
		pages		_, filed with the demand,
		pages		, filed with the letter of
		pages		, filed with the letter of
\boxtimes	the claims,	Nos.	1-13	_ , as originally filed,
۵				, as amended under Article 19,
				_ , filed with the demand,
				, filed with the letter of,
				, filed with the letter of
\bowtie	the drawings,			, as originally filed,
لاعا	= . =			, filed with the demand,
				, filed with the letter of
•				, filed with the letter of
2. The amend	ments have resulte			
	the description,			
	the did tings,	sheets/fig		
This	report has been es	tablished as if	(some of) the ame	ndments had not been made, since they have been considered
— to go	beyond the disclo	sure as filed, a	s indicated in the	Supplemental Box (Rule 70.2(c)).
. Additional o	bservations, if ne	cessary:		
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INTERNATIONAL PRESIDINARY EXAMINATION REPORT

mational application No. PCT/DE 00/00334

NO

V.	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement					
1.	Statement					
	Novelty (N)	Claims	1-13	YES		
		Claims		NO		
	Inventive step (IS)	Claims	1-13	YES		
		Claims		NO		
	Industrial applicability (IA)	Claims	1-13	VFS		

2. Citations and explanations

The subject matter of Claims 1 to 13 is novel and involves an inventive step pursuant to PCT Article 33.

This report makes reference to the following document:

Claims

- D1 WO-A-92/15863 (BOEHRINGER MANNHEIM CORP.) 17 September 1992.
- 2. D1 is considered to be the prior art closest to the subject matter of Claim 1 and discloses a device suitable for holding and checking separated urine (cf. abstract; page 8, line 32 to page 9, line 2). The device has the following features (the references in brackets refer to D1):
 - a measuring cell (inter alia formed by a first cover $\underline{10}$, a second cover $\underline{12}$ and a handle portion $\underline{14}$; cf. Figure 1)
 - this has an inflow opening (first port 11)
 - it has an indicator on an indicator carrier (reagent holder 8; cf. page 14, lines 25-30)
 - it has a transparent area forming a window through which the indicators are visible

(second port 13)

- the indicators are positioned on a side of the indicator carrier, which side faces the window (cf. Figure 1)
- liquid transporting means suitable because of its capillarity for transporting liquids extends from the inflow opening out to the indicator carrier (fleece layer 7 in Figure 1; cf. also page 13, lines 25-26)
- said liquid transporting means is connected to an area of an indicator in each case (page 14, lines 9-16).

The subject matter of Claim 1 differs from this known device in that the liquid transporting means engages around the indicator carrier and is connected to an area of one of each indicator on the side facing the window.

The subject matter of Claim 1 is thus novel pursuant to PCT Article 33(2).

3. The problem to be solved by the present invention can therefore be considered to be that of increasing the reading indication of the colour change of the indicators and thus the reliability of a resulting interpretation.

The solution proposed for this problem in Claim 1 of the present application involves an inventive step, pursuant to PCT Article 33(3), since geometry of the liquid transporting means, indicator carrier and indicator, which geometry corresponds to the distinguishing feature, is not suggested by the prior art.

The liquid transporting means in the device as

INTERNATIONAL PREMINARY EXAMINATION REPORT

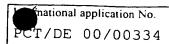
ernational application No.
PCT/DE 00/00334

described in D1 is connected to an area of the indicator on the **side facing away from the window**, a suboptimal reading indication of the indicator being produced, since the view of the colour change is made cloudy by a non-impregnated layer of the indicator carrier.

By way of the teaching of D1, the prior art merely provides the possibility of moistening the side of the indicator to be read directly with the liquid to be analysed. In this case, reading is made more difficult because of the liquid applied which is usually not colourless.

4. Claims 2 to 13 are dependent on Claim 1 and thus also meet the PCT requirements concerning novelty and inventive step.

INTERNATIONAL PREID INARY EXAMINATION REPORT



VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

- 1. Although Claim 1 is drafted in the two-part form, some of the features discussed in Box V should not have been included in the characterising part since they were disclosed in D1 in conjunction with the features mentioned in the preamble (PCT Rule 6.3(b)).
- Contrary to PCT Rule 5.1(a)(ii), the description does not cite D1 or indicate the relevant prior art disclosed therein.
- Claim 4 refers incorrectly to Claim 9 instead of Claim 3.